

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Gary A. Falcone
Tina L. Falcone

Debtor(s)

CSMC 2019-JR1 Trust

Movant

v.

Gary A. Falcone
Tina L. Falcone

Respondents

BK. NO. 19-70601 JAD

CHAPTER 13

Related to Document No. 55, 61, 70

Hearing Date: 4/28/21 at 10:00 a.m.

CONSENT ORDER

AND NOW, come the undersigned parties, by and through their respective counsel, and enter into the follow Consent Order:

WHEREAS, Movant has filed a motion for relief from stay due to delinquent mortgage payments on the mortgage secured by Debtor's real property at 225 Evans Avenue, Blairsville, PA 15717 (Doc. 55);

WHEREAS, Debtors have filed a response opposing relief from the automatic stay (Doc. 61);

WHEREAS, a continued motion for relief hearing was heard on April 14, 2021, and Debtor's counsel indicated that a family member was going to obtain financing and satisfy Movant's loan ;

WHEREAS, Debtor's plan to satisfy Movant's loan is no longer a viable option;

WHEREAS, the parties enter into this Stipulation to consent to Movant's request for relief from the automatic stay.

AND NOW, it is hereby stipulated by and between the undersigned as follows:

1. The Motion for Relief from the Automatic Stay of all proceedings is granted and the Automatic Stay of all proceeding, as provided under Section 362 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (The Code), 11 U.S.C. Section 362, is modified with respect to the subject premises located at 225 Evans Avenue, Blairsville, PA 15717 ("Property), so as to allow CSMC 2019-JR1 Trust, its successors or assignees, to proceed with its rights and remedies under the terms of the subject Mortgage and pursue its in rem State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property.

Consented to by:

/s/ Michael N. Vaporis

Michael N. Vaporis, Esq.

PA ID # 46333

26 South Sixth Street

Indiana, PA 15701

Phone: (724) 450-5161

Email: mvaporis@comcast.net

/s/ Maria D. Miksich

Maria D. Miksich, Esq., PA ID 319383

KML Law Group, P.C.

701 Market Street, Suite 5000

Philadelphia, PA 19106

Phone: (412-430-3589)

Email: mmiksich@kmlawgroup.com

It is hereby ORDERED that the parties' Consent Order be and hereby is APPROVED, and the hearing scheduled for 4/28/2021 at 10:00 a.m. is CANCELLED.

By the Court,

J.